

**Landfill Advisory Committee (LAC)**  
**Meeting #6**  
**Monday, March 7, 2022 – 2:00 pm**  
**Virtual WebEx**

**MEETING MINUTES**

**ATTENDANCE**

LAC Members Present:

Steven Chang, Suzanne Jones, Ken Kawahara, Emmett Kinney, Brennon Morioka, James Nakatani, Cynthia Rezentes, Trisha Kehaulani Watson

BWS:

Ernie Lau, Erwin Kawata, Kathleen Elliott-Pahinui

Project Team Present:

Dr. Roger Babcock, Jr. (ENV Director), Michael O'Keefe (ENV Deputy Director), Markus Owens (Public Information Officer), Chris Hirota (Refuse Division Chief), Dan Brieck (Refuse Division Assistant Chief), Ahmad Sadri (Energy Recovery Administrator), Josh Nagashima (Project Manager), Julie Leano (Planner), Richard Nieves (Planner), Luciana Bishay (IT), John Katahira (Limtiaco Consulting Group), Mike Kaiser (HDR), Ayako Nakasato (HDR), Rebecca Candilasa (Wilson Okamoto)

**I. CALL TO ORDER (John Katahira, Facilitator)**

John Katahira welcomed the group and called the meeting to order at 2:03 pm.

John Katahira opened the meeting noting that this meeting is being held pursuant to Governor David Ige's Emergency Proclamation Related to the Sunshine Law In Person Meetings issued on December 29, 2021, and in order to allow public participation in this meeting in a manner consistent with safe practices and social distancing requirements, this meeting is being conducted as a remote meeting by interactive conference technology. *[Note that there is a change for the record that the Governor's Emergency Proclamation Related to COVID-19 (Omicron Variant) was issued on January 26, 2022.]*

**II. ROLL CALL (John Katahira, Facilitator)**

John Katahira proceeded with roll call in alphabetical order. All LAC members were present from non-public locations except for Cynthia Rezentes and Brennon Morioka who both joined the meeting at a later time. All present members stated that there was no one present at their location. Quorum was met based on the roll call that 5 out of the 8 LAC members were present at the start of the meeting. It was also noted that in order to have quorum, LAC members need to be visible so John Katahira requested to have videos turned on as much as possible during the meeting.

John Katahira proceeded with providing a snapshot of the meeting roadmap and noted that two meetings remain after this meeting in April and June.

### **III. ORAL COMMENTS ON ALL AGENDA ITEMS REMOTELY VIA VIDEO CONFERENCE OR PHONE**

John Katahira reminded everyone that the meeting is being video recorded and will be posted on the ENV website. He stated that the members of the public may participate in this meeting by interactive conference technology from remote locations and present oral testimony by video conference or phone.

The following procedures were in effect for the meeting and read aloud by John Katahira:

1. Remote testimony will be accepted on all agenda items. Each speaker will be limited to 2 minutes per person.
2. All participants will enter the remote meeting with view-only privileges. For individuals providing remote testimony, staff will bring you into the meeting and unmute you at the time you are called to present comments. When reminded of the time limit, please conclude your remarks as promptly as possible.
3. For those who joined by telephone only, your name will not be known so you will be identified by the prefix of your phone number.
4. Public comments will be taken from each person on the registered list first.
5. If you did not previously register and wish to provide comments, please raise your hand on WebEx. If you have joined by telephone, press \*3 to raise your hand if you would like to provide comments.
6. When your name or telephone prefix is called, you will be given a few moments to respond. If you do not respond after a few moments, we will move on to the next person. Please state your name and identify the agenda item on which you are speaking on.

John Katahira acknowledged that two individuals registered to provide oral comments.

1. Kiran Polk, Executive Director for the Kapolei Chamber of Commerce, stated that written testimony was re-submitted and emphasized the community concern that the replacement for the Waimānalo Gulch Landfill may potentially remain on West O'ahu based on the restrictions of siting a new landfill site. She stated that she wanted to reiterate the urgency of the need to find a new site, and expressed that the greater community and business community as a whole has had the burden of the landfill for many decades. John Katahira confirmed that the letters were received on both occasions and were distributed to the LAC prior to the meeting. There were no comments from LAC members at this time.
2. Nicole Chatterson, Executive Director of a non-profit called Zero Waste O'ahu, whose mission is to help support the rebuilding of an equitable and waste free Hawai'i, provided comments. She stated that she reviewed the meeting notes and video and expressed concern about the positioning of the ecological and environmental justice criteria under the subjective category. She indicated that there are effective ways to measure ecological impacts connected to potential landfill sites and would appreciate the opportunity to follow up with someone regarding this topic. She also shared that another

part of their work is to raise enthusiasm in having to site fewer landfills and involvement in creating less waste altogether. There were no comments from the LAC members at this time. John Katahira indicated that the process may not allow for questions regarding criteria discussion to be addressed in this forum, but that offline comments could be sent via email for a response. The questions and responses are posted on the ENV website for full transparency. Trisha Watson inquired whether the public had access to the data that the LAC received in the past few days. Josh Nagashima confirmed that the data was posted on the website shortly after it was provided to the LAC as well as emailed to those who registered for notifications. Trisha Watson further inquired if the data was supposed to be provided to the public six days in advance due to Sunshine Law and whether this was done. She explained that she would have liked to hear public comment on the data sets that were provided, but was not sure that the public had sufficient time to review. Josh Nagashima commented that the data sets were not provided six days in advance. He stated that he sent out an email to everyone on the email list to let them know that the data sets were posted.

An opportunity was offered for other participants to provide comments before proceeding. There were no other comments at the time.

John Katahira proceeded to the next agenda item to approve the prior meeting minutes.

#### **IV. APPROVAL OF MINUTES**

John Katahira requested a motion to approve the meeting minutes for LAC Meeting #5 held on February 7, 2022. A motion was made by Ken Kawahara to approve the meeting minutes. James Nakatani seconded the motion. John Katahira noted no objections from the committee members and approved the minutes.

#### **V. PRESENTATION, DISCUSSION AND ACTION – Landfill Location and Drinking Water Protection (Josh Nagashima, ENV PM)**

Josh Nagashima provided an information update by presenting a map of the No Pass Zone and a composite of the modeled 10-year capture zones for existing drinking water wells on O'ahu provided by the DOH Safe Drinking Water Branch. It was explained that the drinking water wells are located at the makai ends of the capture zones and the capture zones extend mauka from those points. The Safe Drinking Water Branch uses the map for source water protection and determinations of chemical fate and transport. He explained that the potential sites are shown as the gray areas on the map with the capture zones shown as the blue areas. Trisha Watson asked if the capture zones are shown with the subsequent material. Josh Nagashima responded that it will not be shown, but that they could refer back to the capture zone map once the sites are revealed. Brennon Morioka requested the landfill site indicators be in a different color from the current gray, which is difficult to distinguish from the residential markings. Josh Nagashima replied that an updated map with the color change will be provided. Suzanne Jones requested that each site be identified on the map and located with the mouse pointer. Josh Nagashima identified the sites.

Suzanne Jones inquired about the difference between a capture zone and an aquifer. Josh Nagashima explained that a capture zone, as defined by the Safe Drinking Water Branch, is a zone of influence of the well, where the well extracts the water from. The 10-year capture zone is the length of time that it will take to pull from one end of the capture zone to the well. The well is at the makai end of the capture zone and the distal point is the 10-year limit for water to travel the entire distance. For example, if something gets into the water, it will take 10-years for it to reach the well.

Josh Nagashima continued with the presentation noting that ENV has been in communication with BWS regarding the selection of the new landfill site. A list of documents provided by BWS were presented which included the BWS Resolution No. 427 and 502, Appendices to the 2012 MACLSS Report, and the BWS letter to ENV. He indicated that the communication became more critical with the recent Red Hill events. He explained that BWS presented the Pass/No Pass map and the capture zones in LAC Meeting #4 as a means to protect groundwater. He also presented a similar map to the LAC in this meeting and commented that the BWS does not recommend siting a landfill in the yellow area or above the No Pass Line. He noted that ENV remains respectful of BWS' position and their recommendation. Josh Nagashima announced that BWS is present at the meeting and the drinking water topic was opened for discussion.

Brennon Morioka requested confirmation that the sites provided to the LAC for recommendation are not below the No Pass Zone and would be an issue to BWS. Josh Nagashima confirmed that none of the sites are below the No Pass Zone and clarified it would be a ranking and scoring of sites as opposed to a recommendation of any site.

Trisha Watson commented that she would find BWS' recommendation and guidance valuable given that the same data was provided to the LAC. John Katahira introduced BWS and offered congratulations on the news regarding the closure of the Red Hill fuel tanks. Ernie Lau was appreciative and indicated the news is a step in the right direction. In response to Trisha Watson's comment, Ernie Lau reiterated BWS' position of reliance on the fresh, pure, groundwater resources and its aquifers. It was continually stated that these resources are precious and irreplaceable. It was explained that the community depends on it as a supply source and is used for other needs such as agricultural, military uses, and other uses. It was further described that fresh water is a gift from Ke Akua, a naturally created resource that took thousands of years to be formed but can easily be lost through contamination. This has been BWS' position for a long time and is cited in the BWS Rules and Regulations Section 3-301, Waste Disposal Facilities, which lists sanitary landfills. An excerpt from Section 3-301 was read, "The Manager at its discretion can withhold his/her approval if there is any basis to expect that the operation of the proposed waste disposal facility and any wastewater thereof may to any degree affect the quality and/or quantity of water resources used or expected to be used for domestic water." He explained that there is a need to have a long-term perspective and to be careful and consider that even though no wells may be located in a particular area today, there could be plans for 7 generations later and/or by predecessors. The closing of the Red Hill Shaft was used as an example. It was explained that the Red Hill incident closed 3 wells. Halawa Shaft, one of the largest, is shut down indefinitely. The three wells together represent 13-15 million gallons of water per day of source capacity supply for the community. Because of this, BWS is looking at other sites to develop that do not currently have wells. The 10-year capture zones

only plan for 10 years to extract from the drinking water well, whereas landfills may exist for decades. He emphasized that we do not want to preclude future generations and uses. Erwin Kawata added that the ideal place for a landfill would be at or makai of the No Pass Line.

Trisha Watson disclosed that her grandfather was the former Chair at BWS, Walter Watson. She asked why the sites provided are not below the No Pass Line and excluded from the current framework. She continued that she does not want to put these landfills in a place where we are affecting water resources now or potentially limiting our access to fresh water in the future. Josh Nagashima responded that while drinking water is very important, areas below the No Pass Line are residential and siting a new landfill is restricted by the requirements of Act 73. John Katahira presented the interactive GIS map at the Refuse Division website to display the various restrictions and indicated that the only available areas after restrictions are turned on are above the Pass/No Pass Zone.

Suzanne Jones commented that she understands the BWS Administrative Rules reads that no landfills are to be placed above the Pass/No Pass Line and that the BWS manager has the authority to approve/disapprove a proposed waste facility. The disapproval is documented in the letter from BWS to ENV in which the BWS indicated they do not approve of any of the sites. Ernie Lau confirmed the understanding is correct. Suzanne Jones expressed confusion as to why the City is proceeding with evaluating sites when a disapproval letter was received. Ernie Lau indicated that he is unsure on the governing authority of the BWS Administrative Rules (adopted in 1976) and the subsequent State laws, but that BWS has not updated the Administrative Rules to collect the changes. Suzanne Jones inquired if the Administrative Rules predated the resolutions that came in 2003 and 2009 which also said that a landfill was not to be located over the No Pass Line. Ernie Lau asked if Suzanne Jones was referring to the City Council resolutions, and mentioned that he wasn't there at that time as management. Suzanne Jones described that the resolutions were provided in the LAC packet. John Katahira requested a response from Josh Nagashima. Josh Nagashima stated that the packet that was provided by BWS was provided as is and included the addendum to the MACLSS report, resolutions, and the BWS Administrative Rules. Suzanne Jones pressed that there has been a long history of objections to place a landfill over an aquifer, and given all the restrictions and having no other sites to consider, she commented if it was wise to continue evaluating the sites that are all over the aquifer. John Katahira noted that all resources referenced is provided on the ENV website: [Honolulu.gov/opala](http://Honolulu.gov/opala) in the New Landfill Siting section.

Brennon Morioka reiterated that all six sites that are to be under consideration by the LAC are all above the No Pass Line and are in contrast with BWS's position and it is problematic. John Katahira requested any comments from Josh Nagashima to explain the situation and the intent of the LAC. Josh Nagashima commented that many of the resolutions and authority of the BWS was enacted before Act 73. Once Act 73 was passed, it further restricted available sites. At the same time, the City is committed to a deadline of December 31, 2022, to identify a new landfill site.

Josh Nagashima restated that a recommendation by the LAC to not proceed on the basis that the sites are all over drinking water is an option. It was also clarified that the LAC work is to rank the available sites and that the Mayor has the final decision.

Trisha Watson further raised that she is not comfortable to continue the process with six problematic sites in the wake of Red Hill. She asked for other options on the

process, such as the LAC recommending that the LUC provide an extension to the deadline and providing it to the legislature or other entity to express that further options are needed that don't threaten our drinking water. Trisha Watson further expressed that the task is highly complicated and she would be happy to write to the LUC to state the challenges that are identified.

John Katahira mentioned that the ENV Directors are also present in the call. He concurred that the process has been challenging and inquired if there were more comments from the LAC.

James Nakatani expressed that it appears everyone has the same concerns and asked who makes the final decision. John Katahira responded that the Mayor makes the final decision. James Nakatani stated that the burden doesn't just fall on the Mayor, but just the City because the process involves State lands and the like. He asked if there was any follow up legislation to Act 73 and commented that groundwater may have been trumped by environmental justice issues early on until the situation at Red Hill occurred.

Cynthia Rezentes clarified that groundwater was a concern with the previous landfill committee and they did not consider any locations above the No Pass Line. She commented that the City has attempted to apply all the laws and produce potential sites. Cynthia Rezentes stated that we are all concerned that the sites are all above the No Pass Line. She pointed out that resolutions are not law and are simply guidelines for the City. She indicated that she is not necessarily in agreement with this and certainly does not support placing a landfill above the No Pass Line, but wanted to clarify that resolutions are not the same as the GIS map ENV has provided, which is based on enacted laws. She mentioned that in the previous siting efforts, it was a struggle – even without the current regulations – to preclude locations makai of the No Pass Line, and that this has never been an easy subject. She further described that the City has delayed the siting process over the years, thus we are now in our current situation today. She also commented that the current LAC is placed in a difficult situation in wanting to protect our water resources yet not being able to base on the current law.

John Katahira stated that we've had previous discussion regarding what is law and not, and agreed with Cynthia Rezentes. He further states that it is a difficult subject, and that we may have preferences on what is best — law or not – and appreciates both sides of the discussion.

Suzanne Jones asked what type of authority the BWS Administrative Rules hold and if corporation counsel or other legal experts have been consulted. Josh Nagashima responded that BWS can weigh in similar to other agencies, but no overall overriding authority could be found. Ernie Lau commented that BWS has not posed this question to their deputy corporation counsel but might proceed in doing so. He also expressed that another area that should be legally evaluated is whether the protection of a paramount public trusted resource for the benefit of the people of Hawaii is consistent with the requirements of the State Constitution. Josh Nagashima indicated that ENV would continue to work with BWS should there be an overriding authority.

Suzanne Jones asked what the advantage is for the LAC to continue to evaluate if no one is comfortable with the proposed sites, versus pausing the process and going back to the LUC and legislature to amend legislation to allow for other sites. Josh Nagashima responded that an advantage is there would be a ranking for the Mayor

to consider based on other criteria for his final authority. Suzanne Jones further clarified if the Mayor could proceed regardless of if the LAC is not comfortable with the sites. Josh Nagashima states that he would have that authority and described two options where the LAC can stop and produce a report recommending that the City work with the LUC to renegotiate the deadlines, or the LAC can pause the process until more sites can be added. He stated the Mayor can name a site because he has ultimate authority.

John Katahira added that because the meetings are done under Sunshine Law, and the discussions are only done in these meetings, opinions of the LAC are not yet fully documented. He explains in order to proceed as such, the discussions must be done in the forum.

Trisha Watson proposed seeking extension deadlines from the LUC for additional sites. She expressed that exploring forward thinking options are appropriate. She indicated she does not want to be a part of a process that would compromise O'ahu's sustainability and requested to have this topic placed on the agenda in order to take action. Josh Nagashima clarified that action can be taken here and needs to be specific. John Katahira added that the actions that are being asked to be taken are in order to meet the tight timeline. He noted that other potential long lead items such as federal lands and developed/undeveloped lands were not considered because it would prevent meeting the timeline. Josh Nagashima clarified that research was done on the developed/undeveloped lands, but discovered the lands were restricted by their small size or the half-mile buffer. He also indicated that letters of interest were sent to the U.S. Federal Government and are awaiting a response to meet with them.

Trisha Watson requested clarification from BWS on the condition of the No Pass Line. Ernie Lau described the condition as below the No Pass Line, in the Pass area which is makai of the No Pass line. Erwin Kawata concurred. Trisha Watson requested further descriptions from BWS. Ernie Lau and Erwin Kawata brought up the UIC line, which is for injection control under HRS 340E. Erwin Kawata added that the underground injection control line is further south of the No Pass Line. *[Note for the record that the underground injection control line is makai of the No Pass Line.]* Ernie Lau pointed out that it would reduce the number of sites. Erwin Kawata further added that to give better opportunity, the No Pass Line would be the absolute minimum.

Trisha Watson then moved to suspend the City's Landfill Advisory Committee until such time as the City formally explores: 1) an extension of time with the State Land Use Commission that allows for the identification of sites that do not pass the No Pass Line as identified by the Honolulu Board of Water Supply; and 2) the identification of a process or means by which additional sites that do not pass the No Pass Line may be eligible for consideration. Suzanne Jones seconded the motion. James Nakatani voted against the motion stating that the LAC was tasked with a goal and deadline and the LAC provided their commitment to the process regardless of the outcome. Ken Kawahara expressed that he agrees with the other LAC members of the importance of the water issues, and asked for other options than what was previously presented without suspending the process entirely. Josh Nagashima responded that the potential two options are to suspend the LAC, produce a report and meet with the LUC, or proceed with scoring/ranking and include in the report a conclusion that the LAC does not recommend any of the six landfill sites be sited over drinking water. Suzanne Jones requested confirmation that in

either case, ENV would need to go back to the LUC to request an extension, or the Mayor can name a site. Josh Nagashima confirmed this would be the case, but stated that the Mayor would generally adhere to the LAC's recommendation, and that is why the LAC was brought together.

Cynthia Rezentes asked whether Trisha Watson's intent is to disband or suspend the LAC as currently formed because this action could potentially add another year or two of commitment for the LAC. She also briefly outlined the additional efforts it would take to go to the LUC. Trisha Watson clarified the intent is to suspend and not to relinquish commitment. She indicated she would like to stay involved if there are additional sites to consider that do not pass the No Pass Line. She further expressed that she thinks the process does ultimately end up with the LUC and would prefer to start the conversations now rather than go through an exercise that ultimately gets to that same place. She further stated that she is open to moving forward with the process as well as seeking alternatives simultaneously. John Katahira added the community impact of having to keep the current landfill if the schedule is not met.

Cynthia Rezentes expressed that the motion should be considered, and there should be a request made to the LUC given the current situation. She further commented that the LAC may not want to sideline the current process because of the uncertainty of the time it will take between the LUC and the City to move forward. She provided background that the 2028 date was selected because it was documented that the City indicated it would take seven years to build a new landfill. She stated that if we are requesting the LUC to reconsider their conditions for the landfill location because of the limitations due to current laws, she thinks we should go forward with the LAC process and recommend that the City go back to the LUC. She also noted that going to the legislature may not be promising because the change to reduce the Act 73 half-mile buffer to a quarter-mile buffer was not acted upon in the most recent legislature round. She expressed that she is concerned about time frame and time schedule and if we go back to the LUC, the December 2022 date will not be met anyway. She further expressed that it may be a two-pronged approach to move forward with the LAC process and for the City to go to the LUC.

Brennon Morioka added that he agrees with fellow LAC members that the City should have a conversation with the LUC about getting an extension and seeing what options are available. He further explained his concerns that the LUC may indicate that the laws are not their parameters, but are placed by the legislature or other bodies, and they are not at fault for the limited choices. He expressed that broader conversations with all parties including the legislature must occur. The LAC is faced with figuring out all the parameters and coming up with the best site possible. He noted that he is agreeable to continue with the process while working with legislature on potential processes.

John Katahira explained that if the LAC were to disband, the next step would be additional engineering analysis and the EIS phase which will require more scrutiny than the current discussions and concerns since it will be deeper dive into environmental impacts. Suzanne Jones indicated that these next steps would end back up to the LUC anyway if anyone objects to the site being over groundwater.

Suzanne Jones referenced the MACLSS and reiterated the City must receive BWS approval and asked whether the current LUC order guiding this process also references the need in obtaining approval from BWS. Ahmad Sadri could not comment and indicated he would need to review the LUC order. John Katahira asked the City to provide this answer at the next meeting. Josh Nagashima asked



Suzanne Jones if it would change her mind on a way forward if the BWS authority is in the current order. Suzanne Jones responded that it would not, but she would like to cover the bases on authority and what is under law. She added that she is conflicted on whether to continue with the process. John Katahira summarized that it appears that some LAC members are in favor of suspending the LAC process now while others prefer to parallel the effort of continuing with the process and decide at the conclusion of the process or Meeting 8.

Trisha Watson withdrew the motion stating that there are a number of members that do not want to suspend at this time and moved to redirect to the following: 1) seek an extension of time for one year from the State LUC from December 2022 to December 2023 for the purpose of identifying sites that do not pass the No Pass Line as identified by the Honolulu Board of Water Supply; and 2) identify means potentially including legislation by which additional sites that do not pass the No Pass Line may be considered. She explained that this is not necessarily to extend the 2028 deadline, but would like to prevent moving into the EIS process to meet the LUC timeline. Suzanne Jones recommended not limiting the timeline to one year (2023) because there is uncertainty in the length of time it will take to go through the LUC process and potentially for the City to go back to the State legislature to seek relief from the restrictions, which won't occur until the next legislative session in 2023. Trisha Watson revised her first motion as just an extension of time from the 2022 deadline. She expressed keeping the 2028 in place to adhere to the various issues that led up to that point.

Cynthia Rezentes read Item No. 2 from the LUC D&O, which was after the date was set for 2028: "The applicant shall obtain all the necessary approvals from the State Department of Health, Department of Transportation, Commission on Water Resource Management, and Board of Water Supply for all onsite and offsite improvements involving access storm drainage, leachate controlled water, well construction, and wastewater disposal." She indicated that based on this excerpt, BWS is involved with approvals for the next landfill.

John Katahira asked for Steven Chang and Emmett Kinney's input in the discussion before proceeding.

Emmett Kinney expressed appreciation for all the input thus far related to the water resource and is leaning towards working the parallel process and doing the best given the criteria. He added that meeting the responsibility and pursuing the time extensions are critical.

Steven Chang commented that the LAC is very close to identifying six sites to come up with a ranking and also has extreme reservations about placing a landfill in any of these locations. He indicated that he understands the City's hands are tied with restrictions, but expressed the need to keep pursuing more flexibility with other options. He indicated he would like to move forward and make the LAC's position clear in the final conclusions.

Josh Nagashima asked if the LAC would be willing to support producing a letter in the application to extend the deadline on the next LUC agenda. Trisha Watson offered strong support and requested to invite Dan Orodener, Executive Secretary of State Staff for the LUC for his valuable input. Josh Nagashima indicated that a draft letter as well as inviting Mr. Orodener would be done for the next LAC meeting. Suzanne Jones expressed the importance for the LUC to know that the City is moving forward with the process without BWS required approval as

referenced in the LUC Order. John Katahira asked if it's better for the LAC members to draft the letter instead of the City. Josh Nagashima stated that he is not sure how the process takes place with Sunshine Law. Cynthia Rezentes added that approval from the other agencies has not been obtained as well and that it is not likely to receive any approvals until a site is identified. Suzanne Jones commented that other agencies were solicited for approvals. Josh Nagashima confirmed that the City has not reached out to the other agencies.

John Katahira confirmed that the LAC is continuing with the process. No objections from the LAC were noted.

Trisha Watson requested the corporation counsel participate in meetings moving forward to address various legal issues. Josh Nagashima clarified that the City has not reached out to the other agencies' opinions to his knowledge and will invite corporation counsel to future meetings.

BWS indicated that they had another meeting and departed LAC Meeting #6.

John Katahira proceeded with the next agenda item.

## **VI. PRESENTATION AND DISCUSSION**

### *Potential Landfill Sites (Mike Kaiser, HDR)*

Mike Kaiser opened by explaining that only potential areas have been presented to the LAC to date and would now be revealing the specific sites.

Figure 1 was presented and provided an overview of the potential landfill sites, noting one site in Area 1, three sites in Area 3, and one site each in Areas 6 and 7. It was explained that ENV had evaluated 7 sites early in the process but eliminated a couple of them due to other restrictions and limitations on its size and area.

Figure 2 was presented and provided an overview of the potential landfill sites with restrictions. It was explained that there are 6 potential landfill sites located in 4 areas and the figure provides a better understanding of the relationships of the sites and the areas.

The next few figures were presented showing a closeup of the footprint for each site. He noted that it is important to understand that the size and shape are purely conceptual with all sites graded to approximately 100 feet in height, 3 to 1 side slopes. The goal was to achieve 21.5 M cubic yards of waste capacity.

Figure 3 showed Area 2, Site 1 on a plateau. The reason for the site being in a plateau was to bypass the surface water drainage located mauka of the site.

Figure 4 showed three potential sites in Area 3. Sites 1 and 3 were graded to the entire extent of the parcel and were kept to the one parcel. Site 2 was located on a larger parcel and has more flexibility on the shape, size, and location.

Figure 5 showed Area 6, Site 1. The site was confined to that particular location due to all of the restrictions. There are three parcels associated with the site. The larger parcel is closest to the roadway near the Del Monte property.

Figure 7 showed Area 7, Site 1. This site was similar to Area 3, Site 2 where it is located on a larger parcel and has the ability to be configured in a different orientation and size.

The capture zone map was re-displayed during the committee member discussion for reference.

Steven Chang asked whether all the sites would be at grade instead of having to excavate and creating a low point because the landfills look like mounds in the plane views. Mike Kaiser responded that the sites were graded to 20 feet in depth to allow for cover soil, but three of the larger sites can be at grade since they can be oriented differently.

James Nakatani commented that it is a concern that 5 out of 6 sites are located on protected agricultural lands. He explained that there are agriculture policies on doubling food production and does not see how landfills would be appropriate there.

Trisha Watson asked the status on the requested additional information on the demographics around the Environmental Justice issue. Josh Nagashima indicated that the information is forthcoming.

#### Subjective Evaluation and Scoring Methodology (*Josh Nagashima, ENV PM*)

Josh Nagashima presented the evaluation process flow and the average criteria weights results. It was noted that 6 out of 8 LAC members submitted weights. It was also noted that the highest weighted criteria were the No Pass Zone and the Municipal Well within 1,000 feet while the View Planes and Effect on Commercial Properties were at the bottom end.

It was explained that the ratings will be completed for the subjective criteria. Numerical values will be assigned to each site based on favorability with a minimum of zero and a maximum of six. The values will be whole numbers only and sites can have equal ratings. An assistance form was provided as well as the link to the Microsoft Forms. The average ratings per site will be used in the score calculation.

Mike Kaiser presented conceptual grading plans and parcel information provided to the LAC for use in their rating of the subjective criteria scoring effort. Information such as capacity, landfill footprint area, parcel/owner, and TMK are provided in the notes section to the right of the grading figure.

The subjective scoring criteria were then presented in the next series of slides. It was noted that the numbering of the subjective criteria is consistent with the previous criteria list and are numbered 10 through 17.

Subjective Criteria No. 10 - Land Use Displacement was presented with a figure of the agricultural land details and soil productivity ratings for the site. It was noted that a record search was conducted to find whether any types of detriments exist on the parcel. For Area 3, Site 2, parcel detriments included the Hawaiian Pineapple Dump 3 and the Former Battery George W. Ricker.

Subjective Criteria No. 11 - Proximity to Ecologically Important Areas was presented with a figure and a definition on how the criteria was approached. It was noted that none of the sites are located in areas designated as a critical habitat under the Endangered Species Act. Aquatic and riparian resources are indicated on the figures and backup information tables with the metadata were provided for each resource. Information was also provided on threatened endangered species that would likely be encountered on this project.

Subjective Criteria No. 12 - Proximity to Nearby Surface Water concentrated on wetlands and streams within a half-mile buffer. The wetlands and streams were

identified and numbered with tables provided to cross reference the various wetlands and streams located in each site. Trisha Watson inquired if the water birds were included in the data provided to evaluate whether the Migratory Bird Treaty Act (MBTA) would apply. Mike Kaiser indicated that this can be discussed during the question portion and noted that Rebecca Candilasa from Wilson Okamoto will be available to discuss.

Subjective Criteria No. 13 - Proximity to Nearby Archaeological & Cultural Resources was presented. The sources used to produce the information were referenced. It was explained that the place names and historic sites are numbered and referenced a table for its descriptions. Trisha Watson asked to look through the State inventory of Historic places and explained that SHPD's GIS specialist would be able to find the information in their database. Mike Kaiser indicated that this would be something that can followed up on.

Subjective Criteria No. 14 - Proximity to Nearby Parks and Recreation Facilities was presented. Parks and facilities were researched within the half-mile buffer and identified by the dimensions relative to the sites.

Subjective Criteria No. 15 - Proximity to Nearby Public Commercial Facilities was presented. Similarly, the figure showed a half-mile buffer with sites identified.

Subjective Criteria No. 16 - Location Relative to Identified Community Disamenities was presented with a map identifying the disamenities. The identified disamenities included inactive landfills, active landfills, waste water treatment plants, power plants, refuse transfer stations, and wind farms. Trisha Watson asked for additional information from the EPA EJ mapper and indicated environmental justice issues covers many more demographics.

Subjective Criteria No. 17 - Effect on Established Public View Planes was presented. It was explained that the landfill shapes from 3D CAD were used together with Google Earth to create plane views to use as reference for the site relations to its surroundings. For each site, 3 different locations were taken around the landfill to provide a static profile view of the landfill from that distance. A Google Earth kmz file was provided with instructions to use as a tool. Cynthia Rezentes commented that the views provided are utilizing 100 feet of depth for the landfill, but the concern is that the Waimanalo Gulch Landfill was supposed to be at 150 feet, but is now currently higher. She asked what the guarantee is that this is sufficient and adequate to keep it at 100 feet or how many years would it be to keep it at the 100 feet. Josh Nagashima responded that a 20-year horizon was used with current disposal rates and future C&D rates. He explained that with increasing technology and improvements at diverting waste, a more accurate timeframe could be provided. Mike Kaiser added that standards had to be set on the size of the landfill and design parameters in order to verify the waste fill volume. He further explained that this is a conceptual level and that the landfill configuration could change during the EIS and permitting design process. The 21.5 M cubic yards of capacity was used as a starting point.

Josh Nagashima presented a rating assistance Excel form to help the LAC organize the ratings offline before entering them into the MS Form. He explained the table on the form and that a summary of the subjective criteria information was provided from the documents previously mentioned.

The questions were shown in the MS Form format and explained that the ratings are defined in the form with 0 being no potential effect and 6 being potential significant negative effect.

The output of the ratings was presented to show what it would look like once the ratings are submitted. The average rating is calculated and will be used to calculate the final scores. A disclaimer was made that the ratings shown were for testing purposes only.

Josh Nagashima provided clarification on the subjective rating calculation using the Proximity to Nearby Ecologically Important Areas as an example. Using zero to equate to no potential effects (good) and six being potential significant effects (bad), he explained that the rating must be reversed to be applicable with the rest of the scoring.

Example: Site 2.1 Average Rating = 1.75 (minimal impact, mostly good)

Average Reversed Rating =  $6 - 1.75 = 4.25$

4.25 is entered into the scoring formula

Josh Nagashima proceeded with explaining how the average ratings are converted into average reversed ratings. The average weight (previously scored) is then taken and multiplied to each of the sites' reversed rating to come up with the score for each site.

Cynthia Rezentes requested a copy of the letter to the LUC. Josh Nagashima responded that a draft will be distributed to the LAC and discussed at the next LAC meeting. The City will also look into getting on the agenda for the next LUC meeting.

Suzanne Jones sought clarification that the objective criteria was being scored by the City. Josh Nagashima confirmed that the objective criteria are clearly measurable and will be scored by the City.

## **VII. ANNOUNCEMENTS**

- Homework: Complete objective ratings for six potential sites by Monday, March 14, 2022. Josh Nagashima indicated that responses to questions related to archaeological and environmental justice will be provided in the next couple of days and the scoring deadline will be adjusted accordingly, if needed.
- LAC Meeting #7 April 4, 2022, 2pm-4pm (Tentative) – Scores and Rankings Revealed. Ken Kawahara indicated he may have a conflict.

## **VIII. ADJOURNMENT**

John Katahira summarized the discussions by indicating that the LAC will move forward with a parallel track.

John Katahira requested a motion to adjourn the meeting. James Nakatani made a motion to adjourn. Cynthia Rezentes seconded the motion. No objections were noted and John Katahira adjourned LAC Meeting #6 at 4:17 pm.